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03/09/94

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 40399/177/NIHD

In re patent application of

Jerry M. Keith

Serial No. 07/542,149

Group Art Unit: 1814

Filed: June 22, 1990

Examiner: G. Bugaisky

For: PERTUSSIS TOXIN GENE:
CLONING AND EXPRESSION

GROUP 180

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SUPPLEMENTAL AMENDMENT AND REQUEST FOR RECONSIDERATION
UNDER 37 CFR §1.116

The Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

Attn: BOX AF

Sir:

Further to applicant's response and Notice of Appeal filed December 13, 1993, applicant requests entry of the following amendments.

IN THE CLAIMS

Please cancel claims 12, 14 and 17-22 without prejudice or disclaimer, and amend claims 11, 13 and 15 as follows:

11. (Amended) A DNA molecule encoding a substantially detoxified mutant of at least a portion of the sequence of the S1 subunit of *Bordetella pertussis* toxin, said mutant comprising an epitope that contributes to immunoprotection against *Bordetella pertussis* toxicity, wherein said DNA encodes a mutation wherein arginine 9 is replaced with another amino acid.

In claim 13, line 1, change "claim 12" to --claim 11--.

In claim 15, line 1, change "claim 12" to --claim 11--.

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